

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:19-CR-00010-D

UNITED STATES OF AMERICA)
)
)
v.)
)
CHRISTOPHER WILLIAMS)

FINAL ORDER OF FORFEITURE

WHEREAS, on July 1, 2019, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853 and 18 U.S.C. 924(d)(1), based on the evidence presented by the government therein, and ordering the forfeiture of the property listed in the July 1, 2019 Preliminary Order of Forfeiture, to wit:

- a) One tract of real property, with all improvements thereto, located in Vance County, North Carolina, and more fully described in a deed recorded in Book 743, Page 448 of the Vance County Registry, being last titled in the name of Irene Williams, and having the street address of 310 Yancey Lane, Henderson, North Carolina (the "Yancey Lane Property"); and
- b) All magazines and related ammunition seized from the defendant's residence on December 8, 2018;

AND WHEREAS, the United States published notice of the forfeiture order and, specifically, the forfeiture of the real property, at the www.forfeiture.gov web site for at least 30 consecutive days, between November 2, 2019 and December 1,

2019, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, the magazines and ammunition were valued at less than \$1,000.00 and were therefore exempted from publication pursuant to Rule G(4)(a)(i)(A) of the Supplemental Rules, made applicable by 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure;

AND WHEREAS, the government reasonably identified Carolyn Williams Simmons and the Vance County Tax Office as potential claimants to the subject real property in this criminal forfeiture on the facts known to the government and undertook efforts to provide direct notice of the forfeiture proceeding thereto;

AND WHEREAS, service of the Preliminary Order of Forfeiture was made on Carolyn Williams Simmons via Federal Express on March 18, 2020;

AND WHEREAS, service of the Preliminary Order of Forfeiture was made on the Vance County Tax Office, via Federal Express on March 18, 2020;

AND WHEREAS, service upon the subject real property was executed by posting of the Preliminary Order of Forfeiture on the property by an agent of the United States Marshal's Service on November 19, 2019;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for any of the subject property described in this Court's

July 1, 2019 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED, and DECREED:

1. Except as expressly provided herein, all right, title, and interest in the subject property listed in the July 1, 2019 Preliminary Order of Forfeiture is hereby forfeited to the United States and shall be deemed to have vested in the United States as of the date of the commission of the offense committed by the defendant rendering the property subject to forfeiture.

2. The United States is directed to dispose of the subject property according to law.

3. Any and all liens of record with respect to the subject real property which are not specifically recognized herein are hereby extinguished.

4. Except as expressly recognized herein, the forfeiture of the Yancey Lane Property is free and clear of all interests and no other person or entity shall have any right, title, or interest in the Yancey Lane Property. The United States, having clear title to the Yancey Lane Property, may warrant good title to any purchaser or transferee, subject to the terms of this Order.

5. Upon the transfer or closing of any sale of the Yancey Lane Property, the United States shall pay from the Yancey Lane Property's "Net Sale Proceeds," as that term is defined below, the amounts set forth below.

6. The "Net Sale Proceeds" of the Yancey Lane Property shall be calculated as the gross sales proceeds that the United States realizes from the sale of the

Property, less the following amounts that the United States pays, in the following priority, to the extent that sufficient gross sales proceeds are available to pay these amounts:

- a. First, to the United States Marshals Service (USMS) for the payment of any and all costs and expenses incurred by the USMS in connection with the seizure, maintenance, forfeiture, marketing and any and all costs of sale, including real estate commissions, escrow fees, document recording fees not paid by the buyer, title fees, insurance costs, if any; and transfer taxes;
- b. Second, to the Vance County, North Carolina, for all unpaid real property taxes due and owing up to the date of the entry of this final Order of Forfeiture.
- c. Third, any remaining balance shall be forfeited to the United States and shall be disposed of according to law.

7. The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 9 day of August, 2021.



JAMES C. DEVER III
UNITED STATES DISTRICT JUDGE